

G.S. 150B-21.3A Report for 01 NCAC 06, STATE PROPERTY AND CONSTRUCTION

Agency - Department of Administration

Comment Period - 02/07/2018 through 04/09/2018

Date Submitted to APO - May 22, 2018

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 06A - DIVISION OF STATE PROPERTY AND CONSTRUCTION	SECTION .0100 - GENERAL PROVISIONS	01 NCAC 06A .0105	SECTION REGULATIONS	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06A .0106	STATE BUILDING COMMISSION	Amended Eff. February 1, 1991	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SUBCHAPTER 06B - REAL PROPERTY	SECTION .0100 - GENERAL PROVISIONS	01 NCAC 06B .0101	PURPOSE: POLICY AND RESPONSIBILITY	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - ACQUISITION OF REAL PROPERTY	01 NCAC 06B .0202	GENERAL	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0203	BY DEED	Amended Eff. August 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0204	BY CONDEMNATION	Amended Eff. August 1, 1988	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0205	BY LEASE: GENERAL	Amended Eff. August 1, 1988	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0206	LEASE NOT EXCEEDING \$5,000; TERM NOT EXCEEDING THREE YEARS	Amended Eff. June 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0207	LEASE NOT EXCEEDING \$12,000/TERM THREE YEARS	Amended Eff. June 1, 1987	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0208	LEASE MORE THAN \$12,000 OR MORE THAN THREE YEARS	Amended Eff. June 1, 1987	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0210	BY EASEMENT	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0211	BY GIFT	Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0212	ANNUAL LEASE MORE THAN \$150,000	Eff. March 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - DISPOSITION OF REAL PROPERTY	01 NCAC 06B .0303	BY DEED	Amended Eff. August 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0304	PROCEDURE FOR SALE OF STATE LAND	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0305	BY EASEMENT	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0306	BY LEASE	Amended Eff. August 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	01 NCAC 06B .0307	LEASES AT STATE FAIRGROUNDS AND WNC AG CENTER	Amended Eff. January 1, 2006	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
	01 NCAC 06B .0308	SEVERANCE OF TIMBER FROM THE LAND	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
	01 NCAC 06B .0309	SEVERANCE OF BUILDINGS	Amended Eff. August 1, 1988	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
SECTION .0500 - EASEMENTS TO FILL	01 NCAC 06B .0501	EASEMENTS TO FILL	Amended Eff. August 1, 1988	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	

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		01 NCAC 06B .0502	APPLICATION	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0503	NOTICE TO ADJOINING RIPARIAN OWNERS	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0504	OBJECTIONS	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0505	LIMITATIONS ON FILL	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0507	CONDITIONS OF EASEMENT	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0508	TITLE TO LAND RAISED	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0509	REQUEST FOR QUITCLAIM DEED	Amended Eff. August 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0510	CONSIDERATION	Amended Eff. August 1, 1988	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0511	LIMITED TO APPLICANT'S PROPERTY LINES	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0512	FILLING BY LOCAL GOVERNMENTS	Amended Eff. June 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0600 - OTHER EASEMENTS OVER WATER	01 NCAC 06B .0603	PLAT MUST ACCOMPANY APPLICATION	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0604	INVESTIGATION OF APPLICATION	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0605	STRUCTURES	Amended Eff. June 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0607	APPLICATION AND COST	Amended Eff. August 1, 1988	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0608	INVESTIGATION OF APPLICATION	Amended Eff. July 1, 1988	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0609	OVERHEAD EASEMENTS ACROSS WATER	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0610	DECISION MAKING AND APPEAL PROCEDURES	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0700 - ASSESSMENTS AGAINST LANDS OWNED BY THE STATE	01 NCAC 06B .0701	LOCAL IMPROVEMENTS BY MUNICIPALITIES OR COUNTIES	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0702	REQUEST MUST BE MADE PRIOR TO CONSTRUCTION	Readopted Eff. February 27, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 06B .0703	INVESTIGATION OF PROPOSAL	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0704	REFUSAL AND APPEAL	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code

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	SECTION .0800 - RELOCATION AND FINANCIAL ASSISTANCE	01 NCAC 06B .0801	PURPOSE	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 06B .0802	PERSONS ENTITLED	Readopted Eff. February 27, 1979	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code